

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

UNITED STATES OF AMERICA )  
v. ) Case No. 1-09-CR-65-CLC-WBC  
JERRY STIEFEL )

MEMORANDUM AND ORDER

JERRY STIEFEL (“Supervised Releasee”) appeared for a hearing before the undersigned on July 22, 2015, in accordance with Rule 32.1 of the Federal Rules of Criminal Procedure on the Petition and Amended Petition for a Warrant or Summons for an Offender Under Supervision (“Petition & Amended Petition”). Those present for the hearing included:

- (1) An Assistant United States Attorney for the Government;
- (2) Supervised Releasee; and
- (3) An Attorney with Federal Defender Services of Eastern Tennessee (“FDS”) for the Supervised Releasee.

After being sworn in due form of law, Supervised Releasee was informed or reminded of his privilege against self-incrimination accorded him under the Fifth Amendment to the United States Constitution. It was determined that Supervised Releasee wished to be represented by an attorney and he qualified for appointed counsel. FDS was appointed to represent Supervised Releasee. It was also determined that Supervised Releasee had been provided with and reviewed with counsel a copy of the Petition and Amended Petition.

The Government moved that Supervised Releasee be detained without bail pending his revocation hearing before U.S. District Judge Curtis L. Collier. At that hearing, the Supervised Releasee requested both a preliminary hearing and a detention hearing, but requested time to prepare for his requested hearings, which were scheduled to take place on **July 24, 2015 at 9:30 a.m.** The Supervised Releasee was temporarily detained pending the preliminary hearing and a detention hearing.

On July 24, 2015, Supervised Releasee advised the Court he wished to waive his right to a preliminary hearing, but requested a detention hearing, which was held. U.S. Probation Officer Shaquana Kennedy testified regarding the factual allegations set forth in the Petition and the Amended Petition and related matters. Supervised Releasee made a proffer. Both parties presented their respective arguments, which were fully considered by the Court.

Findings

- (1) Based upon the Petition, Amended Petition, and Supervised Releasee’s waiver of preliminary hearing, the undersigned finds there

is probable cause to believe Supervised Releasee has committed a violation or violations of his conditions of supervised release as alleged in the Petition and Amended Petition.

- (2) Supervised Releasee has not carried his burden of demonstrating by clear and convincing evidence that, if released, he would not pose a danger to another person or to the community or pose a risk of flight under Fed. R. Crim. P. 32.1(a)(6).

Conclusions

It is ORDERED:

- (1) Supervised Releasee shall appear for a revocation hearing before U.S. District Judge Collier.
- (2) The Government's motion that supervised releasee be **DETAINED WITHOUT BAIL** pending his revocation hearing before Judge Collier is **GRANTED**.
- (3) The U.S. Marshal shall transport Supervised Releasee to a revocation hearing before Judge Collier **on Thursday, August 27, 2015 at 2:00 p.m. [EASTERN]**.

SO ORDERED.

ENTER:

*s/ Susan K. Lee* \_\_\_\_\_  
SUSAN K. LEE  
UNITED STATES MAGISTRATE JUDGE